

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

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IN RE PAYMENT CARD INTERCHANGE :  
FEE AND MERCHANT DISCOUNT :  
ANTITRUST LITIGATION :  
:

: MDL No. 1720  
:

This Document Applies to: :  
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SUPERVALU INC., :  
:

V. :  
:

: No. CV 05 4650 (E.D.N.Y.)  
:

VISA U.S.A., INC., VISA INTERNATIONAL :  
SERVICE ASSOCIATION, MASTERCARD :  
INCORPORATED and MASTER CARD :  
INTERNATIONAL, INC. :  
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**STIPULATION TO EXTEND TIME OF DEFENDANTS TO RESPOND TO  
COMPLAINT AND STAY ALL PRETRIAL DEADLINES**

Defendants Visa U.S.A. Inc. (“Visa U.S.A.”), Visa International Service Association (“Visa International”) MasterCard International Incorporated, and MasterCard Incorporated (together, “MasterCard”) (collectively, “Defendants”), and Plaintiff through their respective counsel, stipulate to extend the time for Defendants to move, answer or otherwise respond to the Complaint, and to stay all other pretrial deadlines, in the above-captioned action. In support of this stipulation, Plaintiffs and Defendants state as follows:

WHEREAS, Plaintiff's complaint was served on Visa U.S.A. on October 21, 2005;

WHEREAS, this case has been noticed as a potential tag-along action to MDL 1720, *In re Payment Card Interchange Fee and Merchant Discount Antitrust Litigation*, which was assigned to this court by order of the Judicial Panel on Multi-District Litigation ("MDL Panel") dated October 19, 2005, and that order was filed with the Clerk of the Court for the Eastern District of New York on October 20, 2005;

WHEREAS, this action should be coordinated with MDL 1720, and, pursuant to MDL Panel Rule 7.5(a), no action on the part of the MDL Panel is required to include this case as part of MDL 1720;

WHEREAS, Defendants' deadline to move, answer or otherwise respond to the complaints in several other actions included in MDL 1720 is currently set for December 19, 2005;

WHEREAS, Plaintiff and Defendants agree that this Joint Stipulation is submitted without prejudice to, or waiver of, any defenses or arguments that Plaintiff or Defendants may have to this action;

NOW THEREFORE, the parties hereby stipulate and agree as follows:

- (i) Visa International and MasterCard hereby agree to accept service of the Complaint;
- (ii) the deadline for Defendants to move, answer or otherwise respond to the Complaint in the above-captioned action is adjourned to December 19, 2005. However, in the event the Court enters an order setting a coordinated schedule in MDL 1720, including for Defendants to respond to the complaints in those actions, that coordinated schedule will govern Defendants' obligation to move, answer or otherwise respond to the Complaint.

- (iii) All other pre-trial deadlines, including the time period in which to conduct the parties' planning conference under Federal Rule of Civil Procedure 26(f), shall be continued until such time as the Court sets a coordinated schedule for such pre-trial proceedings in MDL 1720.

Dated: November 4, 2005

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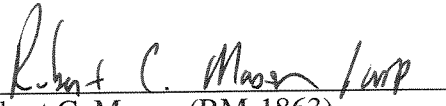
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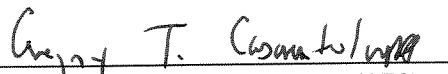
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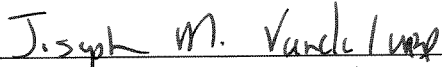
  
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PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: November \_\_\_\_, 2005

\_\_\_\_\_  
Hon.

**DECLARATION OF SERVICE**

Michelle Kass hereby declares under penalty of perjury pursuant to 28 U.S.C. § 1746, that:

I am a Paralegal at the law office of Hunton & Williams LLP, attorneys for MasterCard International Incorporated and MasterCard Incorporated, defendants in this case.

That on November 4, 2005, I served a true copy of the annexed Stipulation to Extend Time of Defendants to Respond to Complaint and Stay All Pretrial Deadlines on all parties via the Court's ECF System, and on all parties who did not receive this Notice via the Court's ECF system, by depositing the same in a duly enclosed and sealed wrapper, with the correct postage thereon, in an official letter box duly maintained by the Government of the United States of America within the State of New York.

I declare under penalty of perjury that the foregoing is true and correct.

Executed November 4, 2005.

A handwritten signature in cursive script that reads "Michelle Kass".

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Michelle Kass